

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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The Authors Guild, Inc., Association of American	:	
Publishers, Inc., Associational Plaintiffs, and	:	
	:	
Herbert Mitgang, Betty Miles, Daniel Hoffman,	:	Case No. 05 CV 8136 (DC)
Paul Dickson, Joseph Goulden, The McGraw-Hill	:	
Companies, Inc., Pearson Education, Inc., Penguin	:	
Group (USA) Inc., Simon & Schuster, Inc., and	:	OPEN BOOK ALLIANCE’S
John Wiley & Sons, Inc., individually and on	:	NOTICE OF INTENT TO
behalf of all others similarly situated,	:	APPEAR AT THE
	:	FEBRUARY 18, 2010
Plaintiffs,	:	FAIRNESS HEARING
	:	
v.	:	
	:	
Google Inc.,	:	
	:	
Defendant.	:	
	:	
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Please take notice that Open Book Alliance intends to appear at the Fairness Hearing in the above-captioned action, currently scheduled for February 18, 2010, to object to the Proposed Amended Settlement Agreement. The Open Book Alliance will appear through its attorney, Gary L. Reback, who is admitted *pro haec vice* (Doc. No. 734).

If permitted to address the Court, counsel will respond to the antitrust arguments made by the parties in their final briefs (to the extent not previously addressed) and will explain important events in the publishing industry that have occurred subsequent to the filing of the OBA brief. The Open Book Alliance is a group of library associations, authors groups, small publishers associations and large commercial companies that have joined together to oppose the parties’ proposed settlement in this case.

Respectfully submitted,

Date: February 3, 2010

OPEN BOOK ALLIANCE

By: /s/ Gary L. Reback
Gary L. Reback
Carr & Ferrell *LLP*
2200 Geng Road
Palo Alto, CA 94303
(650) 812-3489
GReback@CarrFerrell.com
Admitted pro haec vice

Counsel for Open Book Alliance